IN THE HIGH COURT OF JUDICATURE AT PATNA
Cr.Misc. No.28742 of 2008
AKHILESH RAI @ AKHILESH KUMAR
Versus
STATE OF BIHAR
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3. 07.11.2008 Heard learned counsel for the petitioner and learned counsel for the State.

The petitioner apprehends arrest in a Police case under Sections 302/34 of the Penal Code.

It is submitted that the F.I.R. is against unknown. There is no eye witness. The deceased had two wives who have made different allegations based on their suspicion against different persons including the petitioner.

Counsel for the State from the materials in the case diary submits that no witness has named the petitioner. Without any material during the course of investigation his name has transpired at the stage of supervision based on suspicion only.

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Having considered the facts and circumstances of the case, let the petitioner, abovenamed surrender in the court below within a period of four weeks from today, when he shall be enlarged on bail during the period of investigation till submission of charge sheet on furnishing bail bonds of Rs. 10,000/-(Rupees ten thousand) with two sureties of the like amount each to the satisfaction of C.J.M., Patna in Phulwarishariff P.S. case No. 13 of 2007, subject to the conditions laid down under Section 438(2) Cr.P.C.

The petitioner shall be required to cooperate with the

investigation by making himself available for the purpose at all reasonable times that the Investigating Officer may require. In the event of his failure to cooperate with the investigation, the prosecution shall be at liberty to move before the court below for cancellation of his bail bonds so that he may be taken into custody and investigation facilitated.

AKS/ **(Navin Sinha, J.)**

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